

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ISAIAH GARONE,

Plaintiff,

v.

GLADYS MENCIAS,

Defendant.

No. 2:22-cv-2310 DAD CSK P

ORDER

Plaintiff is a former county jail inmate proceeding pro se in an action brought under 42 U.S.C. § 1983. On January 30, 2025, the district court adopted this Court's December 16, 2024 findings and recommendations in full. (ECF No. 27.) On February 14, 2025, pursuant to the district court's order, plaintiff elected to stand on his first amended complaint ("FAC") raising Fourteenth Amendment claims against defendant Gladys Mencias based on her alleged interference with medical care for plaintiff's nose, and consented to dismissal without prejudice of plaintiff's Fourteenth Amendment claim against defendant Mencias based on medical treatment for plaintiff's right knee. (EECF No. 28.) Thus, the Court orders that this action proceed solely on plaintiff's Fourteenth Amendment claims against defendant Gladys Mencias based on her alleged interference with medical care for plaintiff's nose, and dismisses without prejudice plaintiff's Fourteenth Amendment claim against defendant Mencias based on medical treatment for plaintiff's right knee.

Accordingly, IT IS HEREBY ORDERED that:

1. Pursuant to plaintiff's election (ECF No. 28), plaintiff's Fourteenth Amendment claim

1 against defendant Mencias based on medical treatment for plaintiff's right knee is dismissed  
2 without prejudice; and

3 2. Defendant Mencias shall file a responsive pleading to the FAC within thirty days from  
4 the date of this order.

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6 Dated: February 24, 2025

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8 CHI SOO KIM  
9 UNITED STATES MAGISTRATE JUDGE

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